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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/502,515	02/11/2000	Shawn D. Loveland	203665	5271

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EXAMINER

CHAWAN, VIJAY B

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 09/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PR4

# Office Action Summary

Application No.

09/502,515

Applicant(s)

LOVELAND, SHAWN D.

Examiner

Vijay B. Chawan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: .

## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

2. The abstract of the disclosure is objected to because the abstract as filed is too long. Correction is required. See MPEP § 608.01(b).

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3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. The term "proper response" in claim 2 is a relative term which renders the claim indefinite. The term "proper response" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and

one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

8. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Kanevsky et al., (6,161,090).

As per claim 1, Kanevsky et al., teach a method for authenticating a user for access to a computer network via a network access server including a voice interface and a speech synthesizer, the method comprising the steps of:

receiving a user identification from a user seeking access to the computer network via the voice interface (abstract, lines 2-8, Col.3, lines 25-30);  
issuing a variable challenge query (Col.3, lines 31-37);  
receiving a response to the challenge query (Col.3, lines 31-37); and,  
selectively logging the user onto the computer network based upon a determination of whether the response to the challenge meets a matching standard with reference to a stored voice sample sequence, wherein the voice sample sequence corresponds to the user identification and the challenge query (Col.3, lines 25-50).

As per claim 2, Kanevsky et al., teach the method of claim 1, wherein the variable challenge query is selected from a set of potential queries, the variable challenge query is determined in a manner such that the user cannot predict, in advance of the issuing step, a proper response to the challenge query (Col.3, lines 25-50).

As per claim 3, Kanevsky et al., teach the method of claim 1, wherein the logging on procedure comprises submitting a stored computer network user identification and password by the network access server to a network security server (Col.3, lines 25-50).

As per claim 4, Kanevsky et al., teach the method of claim 3, further comprising the step of receiving, in response to the submitting step, a set of credentials for a logged on user (Col.3, lines 25-50).

As per claim 5, Kanevsky et al., teach the method of claim 4, further comprising the step of creating an application proxy having the set of credentials for the logged on user, the application proxy carrying out requests on behalf of the user seeking access to the computer network (Col.8, lines 37-55).

As per claim 6, Kanevsky et al., teach the method of claim 3, further comprising the steps of receiving a notification of successful logging onto the computer network and thereafter executing an application in accordance with vocal commands received by the voice interface (Col.8, lines 37-55).

As per claims 7-9, Kanevsky et al., teach various applicable applications (Col.8, lines 17-55).

As per claims 10-13, Kanevsky et al., teach a communication interface supporting both data calls and voice calls over the same physical input line, the challenge query is a request to repeat the phrase transmitted by the voice interface, based upon alphanumeric values (Col.8, lines 37-67).

Claims 14-20 are apparatus claims to implement the method of claims 1-13, and are similar in scope and content, and are rejected under similar rationale.

Claim 21 is computer readable medium containing instructions to implement the method of claim 1, and is rejected under similar rationale.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hickey et al., (5,889,516) teach a trainable user interface translator.

Corley et al., (5,838,683) teach a distributed interactive multimedia system architecture.

Kanevsky et al., (5,897,616) teach an apparatus and methods for speaker verification/identification/classification employing non-acoustic and/or acoustic models and databases.

Goyal et al., (5,873,108) teach a personal information manager information entry allowing for intermingling of items belonging to different categories within a single unified view.

Saxena et al., (6,259,449) teach an integrated communication center.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vijay B. Chawan whose telephone number is (703) 305-3836. The examiner can normally be reached on Monday Through Thursday 7-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone numbers for the organization where this application or proceeding is



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assigned are (703) 872-9314 for regular communications and (703) 872-9314 for

After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)

305-4700.

*Vijay B. Chawan* 9/26/02

Vijay B. Chawan  
Primary Examiner  
Art Unit 2654

vbc

September 26, 2002